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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Satoshi MAEKAWA et al.**

Group Art Unit: **3736**

Application No.: **10/527,087**

Examiner: **Unknown**

Filed: **March 10, 2005**

Confirmation No.: **2814**

For: **ACTIVE MUSCLE DISPLAY DEVICE**

Attorney Docket Number: **052171**

Customer Number: **38834**

SUBMISSION OF ENGLISH TRANSLATION OF IPER

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

July 7, 2005

Sir:

Submitted herewith is an English translation of the International Preliminary Examination Report for the above-identified U.S. patent application.

If any additional fees are due in connection with this submission, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

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WFW/dlt

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 72.2)

To:

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Date of mailing (<i>day/month/year</i>) 07 April 2005 (07.04.2005)	
Applicant's or agent's file reference 202-028-01	IMPORTANT NOTIFICATION
International application No. PCT/JP2002/009302	International filing date (<i>day/month/year</i>) 11 September 2002 (11.09.2002)
Applicant NATIONAL INSTITUTE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INCORPORATED ADMINISTRATIVE AGENCY et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

EP

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

JP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
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Translation

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 202-028-01	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP02/09302	International filing date (day/month/year) 11 September 2002 (11.09.02)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC A61B 5/0488		
Applicant COMMUNICATIONS RESEARCH LABORATORY, INDEPENDENT ADMINISTRATIVE INSTITUTION		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 March 2003 (17.03.03)	Date of completion of this report 03 April 2003 (03.04.2003)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/JP02/09302

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/JP02/09302

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims	1-13	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

2. Citations and explanations

Document 1: "A Study on the Identification of Single Motor Units from a Multi-channel Surface Electromyogram by Blind Deconvolution (in Japanese)," (Takahiko Arimoto, et al.), Technical Research Report of the Institute of Electronics, Information and Communication Engineers, 12 March, 2002 (12.03.02), Vol. 101, No. 736, pages 159-166

Document 2: "Application of Blind Signal Separation Technique to the Motor Unit Active Potential Measurement by Surface Electromyogram (in Japanese)," (Hideo Nakamura, et al.), BME, 10 May, 2002 (10.05.02), Vol. 16, No. 5, pages 32-37

The constituent feature of the subject matter of claim 1, "(1) a motor unit position estimation section for estimating the position of the motor unit fired from the motor unit estimated to have acted in this motion unit separation section, and (2) a display section for displaying the motor unit estimated by this motion unit position estimation section as an image," is neither described in documents 1 and 2 cited in the ISR nor obvious to a person skilled in the art. So, the subject matter of claim 1 appears to be novel and to involve an inventive step. Furthermore, since documents 2-13 quote claim 1, they also similarly appear to be novel and to involve an inventive step.